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FM USMISSION USUN NEW YORK
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4598
INFO RUEHGG/UN SECURITY COUNCIL COLLECTIVE IMMEDIATE
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C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 000626

SIPDIS

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E.O. 12958: DECL: 07/14/2018

TAGS: PREL PTER PGOV KPAL KWBG UNSC IS PA

SUBJECT: SETTLEMENTS UNSCR: FRENCH MAY GO WOBBLY

REF: USUN 614 AND PREVIOUS

Classified By: Ambassador Zalmay M. Khalilzad, per 1.4 (b) and (d).

¶1. (C) French PR Ripert called Amb Khalilzad on July 14 to discuss the way ahead on the Arab draft resolution condemning Israeli settlement expansion. Having successfully delayed action on the resolution until after the Euro-Med summit, which concluded on July 14, Ripert said he now had to give the Arabs France's position on the draft resolution by July ¶15. He suggested that France put forward a "third way" proposal to bridge the gaps between U.S. elements and the Arab resolution. (Note: The French draft resolution is contained in para 4. End Note.) The French also shared their proposal with the UK Mission, which joined USUN in calling for a unified P-3 stance, and arguing against any unilateral French initiative that could inadvertently force a U.S. veto.

¶3. (C) After reviewing the French proposal, Amb Khalilzad called Ripert back to say that the French draft resolution was highly problematic because of its language on settlements -- which goes beyond past Quartet statements -- as well as its omission of references to the terrorist infrastructure and the need for regional states to cut off funding to terrorist groups. Amb Khalilzad told Ripert that the U.S. would have to veto the French text, and therefore urged him not/not to put it forward. It would be much better for France, if it wanted to take on a leadership role, to chair the drafting group USUN had proposed to discuss a comprehensive resolution on the Israeli-Palestinian conflict. Amb Khalilzad also urged Ripert not to precipitate action, as the Arabs lack the nine votes they need to move ahead. Ripert eventually said he would discuss modifications to his proposal with Paris and consult with USUN again before deciding how to proceed.

¶4. (C) COMMENT: The French, having worked with USUN to avoid action during the Euro-Med summit, now seem to be returning to their earlier ways on the Israeli-Palestinian conflict. They want the Security Council to take action on this issue, and above all, do not want to antagonize the Arabs. We have made clear to the French that they must choose between the U.S. vetoing an Arab-drafted resolution, the U.S. vetoing a French-drafted resolution, or working together to try to make progress towards a comprehensive resolution on the Israeli-Palestinian conflict. There is no need to rush, as the Arabs lack the nine votes they need, and cannot move forward without France's support. We will need to continue to reinforce this message in New York and in capitals, including at high levels, in the days ahead.

¶4. (SBU) The new French draft resolution is below:

The Security Council,

Recalling its resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478

(1980) of 20 August 1980, 497 (1981) of 17 December 1981, 904 (1994) of 18 March 1994, 1397 (2002) of 12 March 2002, and 1515 (2003) of 19 November 2003,

Recalling also the Quartet Road Map to a permanent two-State solution to the Israeli-Palestinian conflict,

Reaffirming its commitment to the two-State solution to the Israeli-Palestinian conflict, negotiated between the Israeli and Palestinian sides,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, which, inter alia, prohibits the occupying Power from transferring parts of its own civilian population to the territory it occupies, and reaffirming its applicability to the Palestinian Territory, including East Jerusalem, and other Arab territories occupied since 1967,

Reiterating that Israeli settlement policies and measures in the Palestinian Territories, including East Jerusalem, have no legal validity, and endanger the prospects for achieving the two-State solution in accordance with relevant United Nations resolutions and Middle East peace initiatives, including in particular the Road Map, the Arab Peace Initiative as well as the Annapolis Conference,

Reiterating the importance of achieving a just, comprehensive and lasting peace in the Middle East, based on all its relevant resolutions, the Madrid terms of reference and the principle of land for peace, and stressing the importance of the Arab Peace Initiative,

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¶1. Welcomes progress made in negotiations by Israel and the Palestinian Authority aimed at realising the shared goal of an agreement on the establishment of a Palestinian state by the end of 2008, and calls upon the parties to continue to make every effort to realise that goal and to continue, in the interest of the promotion of peace and security, with their negotiations in the Middle east peace process according to its agreed terms of reference and the implementation of the agreements reached;

¶2. Underscores the urgent need for more visible progress on the ground in order to build confidence and support progress in the negotiations launched at Annapolis, Maryland on 27 November 2007;

¶3. Calls upon both sides to fulfill their obligations under the Road Map, and to refrain from any steps which could undermine confidence or prejudice the outcome of negotiations;

¶4. (Condemns/Expresses deep concern at) the acceleration of Israeli settlement activities in the recent period;

¶5. Reiterates its demand that Israel immediately and completely cease all settlement activity including natural growth, and dismantle outposts erected since 2001;

¶6. Calls once again upon Israel to desist forthwith from the confiscation of Palestinian land under any pretext, from the demolition of homes and properties, and from the destruction of agricultural lands;

¶7. Condemns all attacks against civilians and calls for immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;

¶8. Calls upon the Palestinian Authority to fulfil its commitments, notably to fight terrorism and rebuild its security apparatus, welcomes the progressive transfer of security responsibilities from Israel to the Palestinian Authority in certain areas of the West Bank, and further calls upon Israel and the Palestinian Authority to increase

cooperation in that respect and to facilitate delivery of security assistance to the Palestinian Authority;

¶9. Underscores concern about humanitarian conditions in Gaza and, in this regard, welcomes Egyptian efforts to restore calm in a manner that would provide security to all Palestinians and Israelis, ensure the controlled and sustained opening of the Gaza crossings for humanitarian reasons and commercial flows, and work towards conditions that would permit implementation of the 2005 Agreement on Movement and Access;

¶10. Calls upon states, international organisations, and specialised agencies in a position to do so to continue to assist in the development of the Palestinian economy, to disburse the aid pledged at the Paris Conference, to maximise the resources available to the Palestinian Authority, and to contribute to the Palestinian institution-building programme in preparation for statehood, as well as to continue to provide humanitarian assistance to Palestinians;

¶11. Decides to remain seized of the matter.

Khalilzad